

**COURTESY COPY**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TANG CAPITAL PARTNERS, LP,

Plaintiff,

v.

CELL THERAPEUTICS, INC.,

Defendant.

Case No. 08 Civ. 17 (CM)(DCF)

STIPULATION AND  
[PROPOSED] ORDER  
EXTENDING DEADLINE TO  
COMPLETE DISCOVERY  
AND DATE FOR JOINT PRE-  
TRIAL ORDER AND ALL  
PRE-TRIAL SUBMISSIONS

WHEREAS, Plaintiff Tang Capital Partners, LP ("Tang") has commenced the above-captioned action;

WHEREAS, Defendant Cell Therapeutics, Inc. ("CTI") disputes the allegations in the Complaint;

WHEREAS, the Civil Case Management Plan ("Case Management Plan") established by Court order on February 14, 2008 (Docket No. 12), provides for the completion of all discovery on or before July 14, 2008 and for the submission of a joint pre-trial order and all other pre-trial submissions required by the Court's Individual Rules on or before August 28, 2008;

WHEREAS, the parties were engaged in extensive good-faith settlement negotiations which both parties believed had a significant possibility of resolving the action, and those negotiations have interfered with the pace of discovery;

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WHEREAS, the parties each have faced logistical challenges in collecting documents responsive to their respective document discovery requests, but now have nearly completed the bulk of their document discovery and are preparing to commence deposition discovery;

WHEREAS, the parties agree that good cause exists for modifying the Case Management Plan by providing additional time in which to complete all discovery, and, taking into consideration the summer schedules of deposition witnesses and counsel, forty-five (45) additional days will provide sufficient time to complete all outstanding discovery; and

NOW, THEREFORE, pursuant to Fed. R. Civ. P. 16(b)(4), IT IS HEREBY ORDERED that:

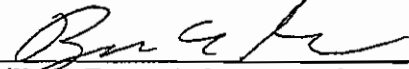
1. The first sentence in Paragraph 6 of the Case Management Plan is modified so as to establish August 28, 2008 as the date by which all discovery must be completed.

2. The first sentence in Paragraph 9 of the Case Management Plan is modified so as to establish September 30, 2008, as the date by which the joint pre-trial order, together with all other pre-trial submissions required by the Court's Individual Rules, shall be submitted to the Court.

**SO STIPULATED**

Dated: June 19, 2008  
New York, New York

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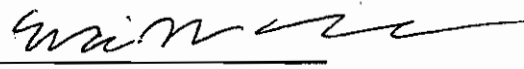
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*Attorneys for Plaintiff  
Tang Capital Partners, LP*

**SO ORDERED.**

Dated: 20 June, 2008

HELLER EHRMAN LLP

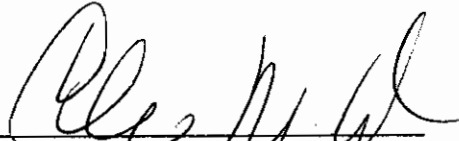
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Hon. Colleen McMahon  
United States District Judge